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STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3687th meeting of the Security Council, held on 8 August 1996 in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has considered the report of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina annexed to the letter from the Secretary-General to the President of the Council of 9 July 1996 (S/1996/542).

"The Security Council expresses its full support for the conclusions reached at the Peace Implementation Council in Florence, Italy, on 13-14 June 1996 (S/1996/446). It stresses the importance of the forthcoming elections in Bosnia and Herzegovina, to be carried out in accordance with the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the Peace Agreement, S/1995/999, annex), which will allow for the establishment of the common institutions and which will be an important milestone for normalization in Bosnia and Herzegovina. It calls upon the parties to ensure the prompt functioning of these institutions after the elections. It supports the preparatory work done in this regard.

"The Security Council expects the parties to increase their efforts towards the maintenance and further enhancement of conditions necessary to ensure democratic elections, as provided for in Article I of Annex 3 of the Peace Agreement, and to abide fully by the results of those elections. In that context, the Council stresses the importance of the agreement reached by the Bosniac and Bosnian Croat leaderships in Mostar and facilitated by the European Union Administration of Mostar (EUAM) that has at last secured Bosnian Croat participation in a unified city administration in Mostar on the basis of the election results of 30 June 1996. The Council expects the Bosniac and Bosnian Croat leaderships in Mostar to implement this agreement fully and without delay, and stresses that failure to do so would seriously undermine crucial efforts to ensure lasting peace and stability in Bosnia and Herzegovina. It expresses its full support for the international

organizations which are currently working in Mostar, and in particular for the EUAM, and calls on both leaderships to cooperate fully with the EUAM. It calls on the Government of the Republic of Croatia, which bears a special responsibility in this context, to continue to use its influence on the Bosnian Croat leadership to ensure full compliance with its obligations. The Council will continue to follow closely the situation in Mostar.

"The Security Council underlines that the continued lack of progress in transferring authority and resources to the Federation of Bosnia and Herzegovina is a potential danger for the peace implementation process. The Council calls upon the Federation partners to accelerate their efforts for the establishment of a fully functioning Federation, which is an essential prerequisite for peace in Bosnia and Herzegovina.

"The Security Council notes with particular concern the conclusions of the report of the High Representative on the implementation of the human rights provisions of the Peace Agreement that the parties are not implementing their commitments in respect of human rights, and that this failure is impeding the return of refugees. It condemns all acts of ethnic harassment. It calls upon the parties to the Peace Agreement to take immediately the measures identified in the report to stop the trend of ethnic separation in the country and in its capital, Sarajevo, and to preserve their multi-cultural and multi-ethnic heritage. The Council deeply regrets the undue delay in implementing measures regarding, inter alia, the development or creation of new independent media and the preservation of property rights, and calls upon each party to implement them immediately. The Council is ready to consider further reports by the Office of the High Representative on all aspects of the implementation of the Peace Agreement, including those mentioned above.

"The Security Council stresses that, under the Peace Agreement, persons indicted by the International Tribunal for the Former Yugoslavia who have failed to comply with an order to appear before the Tribunal may not stand as a candidate or hold any appointive, elective or other public office in the territory of Bosnia and Herzegovina. Any continued holding of such an office is unacceptable. In this context the Council notes the fact that, as a first step, Radovan Karadzic, after officially handing over his executive powers in Republika Srpska on 30 June 1996, agreed on 19 July 1996 to cease definitively all political and official activities, thus facilitating the electoral process in Bosnia and Herzegovina. The Council expects this undertaking to be implemented fully and in good faith, and will closely monitor further developments.

"The Security Council stresses that all States and concerned parties have an obligation, in accordance with resolution 827 (1993) of 25 May 1993, other relevant resolutions and the Peace Agreement, to cooperate fully with the International Tribunal and to comply without exception with requests for assistance or orders issued by a trial chamber. The Council has considered the letter from the President of the International Tribunal of 11 July 1996 (S/1996/556), which referred to the conclusion of the Trial Chamber of the International Tribunal regarding the

failure to execute the warrants of arrest issued against Radovan Karadzic and Ratko Mladic due to the refusal of the Republika Srpska and the Federal Republic of Yugoslavia to cooperate with the Tribunal. It condemns this failure to execute these arrest warrants. The Council notes the recent visit by the delegation from the Republika Srpska to the International Tribunal in The Hague for the purpose of discussing all aspects of cooperation with the Tribunal, and expects that cooperation with the Tribunal to bring to justice all persons indicted will be realized. The Council condemns the failure to date of the Bosnian Croat leadership and the Croatian Government to comply with the orders of the International Tribunal regarding several persons indicted for war crimes. The Council demands the full cooperation of all parties concerned in the immediate execution of all warrants of arrest and the transfer to the Tribunal of all persons indicted, in accordance with article 29 of the Statute of the Tribunal. The Council further condemns any attempt to challenge the authority of the International Tribunal. The Council underlines the importance of the obligations undertaken by the parties to the Peace Agreement to cooperate fully with the International Tribunal and stresses that failure to arrest and transfer persons indicted by the Tribunal is a violation of these obligations. The Council stresses that compliance with the requests and orders of the International Tribunal constitutes an essential aspect of implementing the Peace Agreement, as provided by previous resolutions; the Council is ready to consider the application of economic enforcement measures to ensure compliance by all parties with their obligations under the Peace Agreement.

"The Security Council condemns any threat or act of violence directed against international personnel in Bosnia and Herzegovina, in particular those directed against personnel belonging to the United Nations International Police Task Force on the territory of the Republika Srpska. It condemns also the obstacles put in the way of forensic investigations carried out by international organizations on the territory of the Republika Srpska as well as on the territory of the Federation of Bosnia and Herzegovina. It calls upon all parties to lift those obstacles and to ensure full freedom of movement and safety for all international personnel.

"The Security Council reiterates its full support for the High Representative and for all international organizations currently working in Bosnia and Herzegovina for the implementation of the Peace Agreement. The Council stands ready to consider the need for further action in order to continue and consolidate the efforts made for full implementation of the Peace Agreement. The Council welcomes all initiatives which will lead to a greater degree of stability and cooperation in the whole region."